

REMARKS

The Official Action dated May 17, 2005 has been received and its contents carefully noted. In view thereof, the specification has been amended, claim 4 has been canceled and claims 1, 3, 5 and 6 have been amended in order to better define that which Applicant regards as the invention. Accordingly, claims 1-3, 5 and 6 are presently pending in the instant application.

With reference now to the Official Action and particularly page 2 thereof, claims 1-6 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,138,656 issued to Rice. This rejection is respectfully traversed in that the patent to Rice neither discloses nor suggests that which is presently set forth by Applicant's claimed invention.

With the foregoing amendments, it is respectfully submitted that Applicant's claimed invention is directed to a toy gun including a drive mechanism engaged mechanically with a moveable member which moves in a direction extending along a first direction in response to the operation of the trigger for causing the moveable member to move in the first direction. With the movement of the moveable member, the gas passage forming member which engages mechanically with the moveable member to move in relation to the moveable member contains therein a moveable valve which is also moved in the first direction and put in a position at which the first and second gas passages formed in the gas passage forming member are connected with the gas outlet passage. Further, with the foregoing amendments, it is noted that the gas passage forming member and the moveable valve provided in the gas passage forming member are put in a gas supply state wherein gas is supplied to the gas outlet passage by the movement of the drive mechanism responding to the operation of the

trigger and thereby the gas is guided through the gas outlet passage into the gas passage forming member. Accordingly, in the gas supply state the moveable valve is operative to reside in a first state for causing the first gas passage to be opened and a second gas passage to be closed to supply the gas coming through the gas outlet passage to the loading chamber through the first gas passage and then to occupy a second state for causing the first gas passage to be closed and the second gas passage to be opened to supply the gas coming through the gas outlet passage to the pressure receiving portion through the second gas passage. The gas which is supplied to the loading chamber through the first gas passage when the moveable valve is put in the first state, is completely used for shooting a projectile from the loading chamber. The movement of the bullet from the loading chamber by the shooting action causes the pressure of the gas in the gas passage forming member to reduce and thus the moveable valve moves quickly in the first direction in response to the reduction in the gas pressure so as to shift from the first state to the second state. The gas which acts on the pressure receiving portion through the second gas passage when the moveable valve is put in the second state, moves the moveable member with the drive mechanism in the second direction thereby preparing for the supply of a projectile from the magazine to the loading chamber.

Consequently, the gas passage forming member is reliably placed in the position at which the first and second gas passages formed in the gas passage forming member are connected with the gas outlet passage and the gas passage forming member in the moveable valve provided in the gas passage forming member are reliably put in the gas supply state by the drive mechanism moving in the direction extending along the first direction in response to the operation of the trigger for causing the moveable member to move in the first direction. Further, in the gas passage forming member, the second gas passage is closed by the

moveable member to prevent the gas from entering into the second gas passage when the gas coming through the gas outlet passage is supplied to the loading chamber through the first gas passage. In doing so, a loss of a portion of the gas which is to be applied to the shooting of the projectile from the loading chamber is avoided so that the gas supplied to the gas outlet passage is effectively used for expelling the projectile from the loading chamber. This is clearly not the case with the patent to Rice.

Rice discloses a paintball gun which includes a ram head 29 mounted on the piston 27 which is operative to engage the poppet 38 of the poppet valve 18 to make the poppet valve 18 open, so that high pressure gas is supplied from the high pressure chamber 16 through the poppet valve 18 and then to groove 48 and bores 49 provided on the bolt 44 to the paintball in the barrel 41. The piston 27 provided with the ram head 29 is moved in a first direction toward the poppet valve 18 from its retracted position and then moved in a second direction opposite to the first direction to return the ram head to the retracted position with the operation of the spool valve 21 which is controlled by a solenoid switch 37. This solenoid switch 37 is controlled by the programmed timer in the electronic control circuit actuated by a micro switch 9 which is made operative by activation of the trigger 8.

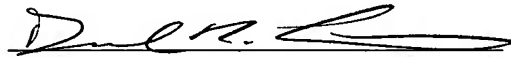
As the Examiner can readily appreciate, the piston 27 in the paintball gun of rice clearly fails to correspond to the moveable member of the present invention as recited in independent claim 1 and the micro switch 9 of Rice fails to correspond to the driving mechanism of the present invention as recited in claim 1 as amended. Furthermore, the paintball gun disclosed in Rice fails to have any means corresponding to the gas passage forming member and the moveable valve provided in the gas passage forming member as recited in claim 1 as amended. Accordingly, it is respectfully submitted that the patent to

Rice fails to include all the limitations presently set forth in independent claim 1 as well as those claims which depend therefrom and consequently fails to anticipate or render obvious that which is presently set forth by Applicant's claimed invention.

Therefore, in view of the going it is respectfully requested that the rejection of record be reconsidered and withdrawn by the Examiner, that claims 1-3, 5 and 6 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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